

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
CASE NO. 3:22-cv-86-MOC-SCR**

UNITED STATES OF AMERICA,
STATES OF NORTH CAROLINA,
CALIFORNIA, CONNECTICUT,
FLORIDA, ILLINOIS, IOWA, NEW
MEXICO, NEW YORK, TENNESSEE,
TEXAS, and the COMMONWEALTH OF
VIRGINIA;

ex rel. Kim Edhegard, M.D.,

Plaintiffs,

v.

SKINCURE ONCOLOGY, LLC and
SENCUS HEALTHCARE, INC.,

Defendants.

ORDER

THIS MATTER IS BEFORE THE COURT on the “Notice of Declination of the States of North Carolina, California, Connecticut, Florida, Illinois, Iowa, New Mexico, New York, Tennessee, Texas, and the Commonwealth of Virginia” (Doc. No. 24).

This Motion has been referred to the undersigned Magistrate Judge pursuant to 28 U.S.C. § 636(b), and immediate review is appropriate. Having carefully considered the motion and the record, the Court will grant the motion.

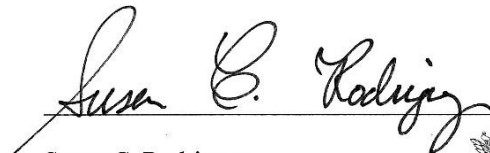
The States of North Carolina, California, Connecticut, Florida, Illinois, Iowa, New Mexico, New York, Tennessee, Texas, and the Commonwealth of Virginia (the “States”), having not intervened in this action pursuant to their respective Medicaid fraud statutes, the Court rules as follows:

IT IS ORDERED, that:

1. As previously **ORDERED** in Doc. No. 22, if Relators elect to proceed with this action, they shall serve Defendants within 90 days of that Order. The Complaint, the United States and the States' Notice of Election to Decline Intervention (Doc. Nos. 21 and 24), and the Court's Orders in response (Doc. No. 22 and this Order) shall be unsealed;
2. All other contents of the Court's file in this action remain under seal and shall not be made public or served upon Defendants, except for the Complaint, the United States and the States' Notices of Election to Decline Intervention (Doc. Nos. 21 and 24), and the Court's Orders in response (Doc. No. 22 and this Order), which the Relators will serve upon Defendants only after service of the Complaint;
3. The seal shall be lifted as to all other matters occurring in this action after the date of this Order;
4. The parties shall serve all pleadings and motions filed in this action, including supporting memoranda, upon the States. The States may order any deposition transcripts and may be entitled to intervene in this action at any time;
5. The parties shall serve all notices of appeal upon the States;
6. All orders of this Court will be sent to the States; and that
7. Should the Relator or Defendants propose that this action be dismissed, settled, or otherwise discontinued, the Court will notify the States with an opportunity for briefing before ruling.

SO ORDERED.

Signed: September 26, 2023


Susan C. Rodriguez
United States Magistrate Judge

